REMARKS

Claims 1, 3-17, and 19 are all the claims pending in the present application, claims 2 and 18 having been cancelled as indicated herein. In summary, the Examiner maintains the same rejections set forth in the previous Office Action, and adds a few new arguments in the *Response to Arguments* section of the present Office Action. On page 7 of the Office Action, the Examiner indicates that claims 3, 4 and 19 are allowed, and that claims 11, 12 and 14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1, 2, 6, 8, 17 and 18 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over MacGregor (U.S. Patent Application Pub. No. 2002/0087522) in view of Hirota (U.S. Patent No. 5,568,390). Claim 5 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over MacGregor in view of Hirota, and further in view of Solomon (U.S. Patent No. 6,847,935). Claim 7 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over MacGregor in view of Hirota, and further in view of Blumberg et al (U.S. Patent No. 6,496,776). Claims 9, 10 and 16 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over MacGregor in view of Hirota, and further in view of Goldband (U.S. Pat. Appln. Pub. No. 2001/0018673). Claim 13 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over MacGregor in view of Hirota, and further in view of Official Notice. Finally, claim 15 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over MacGregor in view of Hirota, and further in view of Razumov (U.S. Patent Appln. Pub. No. 2002/0016747).

§103(a) Rejections (MacGregor/Hirota) -Claims 1, 2, 6, 8, 17, and 18

With respect to independent claim 1, in the previously filed Response, Applicants argued that neither MacGregor nor Hirota, either alone or in combination, teaches or suggest at least, "means for calculating costs C2 necessary for movements to the destinations via the listed stores respectively" and "priority setting means for calculating priority level judging parameters P from sums of the costs C2 and prices of the goods...," as recited in claim 1. In response, the Examiner alleges, "Hirota teaches means for calculating costs C_2 necessary for movements to the destinations via the listed stores respectively (see column 12, lines 34-58). MacGregor discloses organizing search data based on store location and price. In view of Hirota, the price of traveling is fully considered and therefore summed with the price of the good when making a purchasing decision." In response to the Examiner's arguments above, Applicants submit that even if, *arguendo*, Hirota teaches means for calculating costs C_2 necessary for movements to the destinations and MacGregor discloses organizing search data based on store location and price, nowhere does either reference or the combination thereof disclose or suggest calculating priority level judging parameters P from sums of the costs C_2 and prices of the goods. That is, there is no disclosure or suggestion of summing of prices plus costs in either of the applied references. Therefore, Applicants maintain that independent claim 1 is patentably distinguishable over MacGregor and Hirota, either alone or in combination.

Applicants maintain that dependent claims 6 and 8 are patentable at least by virtue of their dependency from independent claim 1.

With respect to independent claim 17, Applicants submit that this claim is patentable at least for reasons similar to those set forth above with respect to claim 1.

§103(a) Rejection (MacGregor/Hirota/Solomon) -Claim 5

Applicants submit that dependent claim 5 is patentable at least by virtue of its dependency from independent claim 1. Solomon does not make up for the deficiencies of MacGregor and Hirota.

§103(a) Rejection (MacGregor/Hirota/Blumberg) -Claim 7

Applicants submit that dependent claim 7 is patentable at least by virtue of its dependency from independent claim 1. Blumberg does not make up for the deficiencies of MacGregor and Hirota.

§103(a) Rejections (MacGregor/Hirota/Goldband) -Claims 9, 10, and 16

First, Applicants submit that dependent claims 9, 10 and 16 are patentable at least by virtue of their indirect dependencies from independent claim 1. Goldband does not make up for the deficiencies of MacGregor and Hirota.

Further, with respect to claims 9 and 10, Applicants previously argued that Goldband does not teach the specific limitations set forth in each of claims 9 and 10. In response, the Examiner alleges, "Applicant's arguments fail to comply with 37 C.F.R. § 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references." In response, Applicants maintain that even if, *arguendo*, Goldband teaches the use of a limited time offer, nowhere does Goldband disclose or suggest the following specific limitations of claim 9: "wherein said store information storage means comprises: means for counting a lapsed time from the time when store information is transmitted from said store information transmitting means or from the time when said store listing means receives store information;

and means for disposing of, among the store information stored, pieces of store information for which said lapsed time exceeds a threshold value set in advance." Also, Goldband does not disclose or suggest at least, "wherein said store information transmitting means transmits a period of validity on store information together with the store information, and said store information storage means comprises means for storing the period of validity on store information together with the store information and disposing of, among the store information stored, pieces of store information for which said period of validity is exceeded," as recited in claim 10. Using a limited time offer, as allegedly disclosed in Goldband, clearly does not satisfy the features of claims 9 and 10 specifically set forth above, and the Examiner clearly has not met his burden of showing that the above-claimed features are satisfied by the applied references. At least based on the foregoing, Applicants maintain that claims 9 and 10 are patentably distinguishable over the applied references, either alone or in combination .

Yet further, Applicants pointed out in the previous Response that the Examiner does not even mention the limitation set forth in dependent claim 15. In the present Office Action, the Examiner yet again fails to discuss claim 15. At least because the Examiner has not set forth any reasons for rejecting claim 15, Applicants submit that claim 15 should be indicated as containing allowable subject matter, and claim 16, which depends from claim 15, should also be indicated as allowable.

Yet further, Applicants pointed out in the previous Response that nowhere does MacGregor, Hirota, or Goldband, either alone or in combination, teach or suggest the specific limitations set forth in claim 15, from which claim 16 depends. The Examiner alleges that Razumov (see below) satisfies the features set forth in claim 15, however neither MacGregor,

Hirota, nor Goldband satisfies the features of claim 15. At least based on the foregoing, Applicants maintain that claim 16, which depends from claim 15, is patentably distinguishable over the applied references, either alone or in combination.

§103(a) Rejections (MacGregor/Hirota/Official Notice) -Claims 13

First, Applicants maintain that dependent claim 13 is patentable at least by virtue of its indirect dependency from independent claim 1.

Yet further, even if, *arguendo*, it is old and well known to save new information over old information, wherein old information is deleted (as the Examiner alleges), Applicants maintain that it does not necessarily follow that a "store information storage means" would comprise the claimed "means for deleting," as set forth in claim 13.

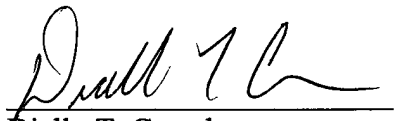
§103(a) Rejections (MacGregor/Hirota/Razumov) -Claims 15

Applicants submit that dependent claim 15 is patentable at least by virtue of its dependency from independent claim 1. Razumov does not make up for the deficiencies of MacGregor and Hirota.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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